# UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

UNIVERSITIES SUPERANNUATION	)
SCHEME, LTD.,	)
	)
v.	)
,	)
BP P.L.C., BP AMERICA INC., BP	) Case No.: 4:14-cv-01280
EXPLORATION & PRODUCTION INC.,	)
ANTHONY B. HAYWARD, DOUGLAS	)
SUTTLES, ANDREW G. INGLIS,	)
H. LAMAR MCKAY, and ROBERT W.	)
DUDLEY,	
	)
Defendants.	)
	)
	)
	)
In ra DD n la Cognition Litigation	) ) MDL 2185
In re BP p.l.c. Securities Litigation	) Case No.: 4:10-md-2185
:	) - Cuse 11010 md-2103
;	) Hon, Keith P. Ellison
	)
	,

### **STIPULATION AND ORDER**

WHEREAS, on April 18, 2014, Universities Superannuation Scheme, Ltd. ("Plaintiff") filed suit in the District of Harris County, Texas, 234<sup>th</sup> Judicial District;

WHEREAS, the action was removed to this Court on May 9, 2014 and transferred to the Hon. Keith P. Ellison on July 9, 2014;

WHEREAS, on December 11, 2013, Defendants filed their Amended Motion to Dismiss Plaintiffs' Complaints in ten individual actions in MDL 2185 (Dkt. 717) ("Second Tranche Motion to Dismiss"), with respect to which oral argument has been scheduled for July 25, 2014;

WHEREAS, the parties have conferred about a schedule;

WHEREAS, there are no pending dates set by the Court that would be affected by

this extension;

THEREFORE, IT IS STIPULATED AND AGREED by and between the

undersigned parties:

1. The undersigned counsel for Defendants agree to accept service of the

complaint on behalf of Defendants, without waiving any defenses other than failure of service of

process, and specifically preserving the defense of lack of personal jurisdiction.

2. Plaintiff agrees that Defendants need not respond to the complaint.

3. The parties shall confer as to an appropriate schedule for Plaintiff to

amend the complaint, and for Defendants to answer, move to dismiss or otherwise respond to

that amended complaint, once the Court issues its anticipated order on the Second Tranche

Motion to Dismiss.

4. BP p.l.c., BP America Inc. and BP Exploration & Production Inc. will

make available to Plaintiff all documents and other discovery produced by any BP entity in *In re* 

Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico, on April 20, 2010, MDL

2179 (E.D. La.) ("MDL 2179") and MDL 2185, and will not object to Plaintiff gaining access to

all documents and discovery produced by other parties in MDL 2179 and MDL 2185, on

substantially the same terms as governs the use of those documents by plaintiffs in MDL 2179

and MDL 2185. In any event, the deadline for amending the complaint shall not be less than 60

2

days following entry of such order.

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Dated: July 11, 2014

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Signed: July 11, 2014

HON. KEITH P. ELLISON UNITED STATES DISTRICT JUDGE

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